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3 **UNITED STATES DISTRICT COURT**  
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5 **DISTRICT OF NEVADA**  
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9 DONALD GLEN ESTES, ) 2:04-CV-0149-RLH-GWF  
10 Plaintiff, )  
11 vs. ) **O R D E R**  
12 SOUTHERN NEVADA ADULT )  
13 MENTAL HEALTH; DR. RAMIREZ; )  
14 DR. SHERKS; DR. LEMMONS, )  
15 Defendants. )  
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17 Before this Court is the Order & Findings and Recommendations of United States  
18 Magistrate Judge (#109, filed March 28, 2007), entered by the Honorable George W. Foley,  
19 regarding Defendants' Motion for Judgment on the Pleadings (#95, filed December 21, 2006);  
20 the undersigned's Order (#98, filed January 16, 2007), directing Plaintiff to file an affidavit  
21 fulfilling the requirements of N.R.S. 41A.071; and Plaintiff's Motion to Comply with Written  
22 Affidavit (#106, filed February 26, 2007). There was also Plaintiff's Response (#110, filed April  
23 2, 2007) to Defendants' Motion for Judgment on the Pleadings, which was reviewed by the  
24 Court. No objection was filed to Magistrate Judge Foley's Order & Findings and  
25 Recommendations in accordance with Local Rule IB 3-1 or 3-2 of the Rules of Practice of the  
26 United States District Court for the District of Nevada, and the matter was submitted for  
27 consideration.  
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The court has conducted a *de novo* review of the record in this case in accordance

1 with 28 U.S.C. §636(b)(1)(A), (B) and © and Local Rule IB 3-1 and 3-2 and determines that the  
2 Order of Magistrate Judge Foley is not clearly erroneous or contrary to law and that Judge  
3 Foley's Findings and Recommendations should be accepted and adopted.

4 IT IS THEREFORE ORDERED that Magistrate Judge George W. Foley's Order  
5 & Findings and Recommendations (#109) is AFFIRMED and ADOPTED; Defendants' Motion  
6 for Judgment on the Pleadings (#95) is granted in its entirety; Plaintiff's Motion to Comply with  
7 Written Affidavit (#106) is denied; and the case is DISMISSED without prejudice.

8 Dated: April 17, 2007.

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11 ROGER L. HUNT  
12 U.S. District Judge  
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